

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JAMES HAYDEN,

Plaintiff,

v.

2K GAMES, INC. and TAKE-TWO
INTERACTIVE SOFTWARE, INC.,

Defendants.

CASE NO. 1:17-cv-02635-CAB

JUDGE CHRISTOPHER A. BOYKO

**DEPOSITION DESIGNATIONS, OBJECTIONS, COUNTER-DESIGNATIONS, AND
COUNTER OBJECTIONS FOR THE DEPOSITION OF LEBRON JAMES (DKT. 299)**

Pursuant to the Court’s February 8, 2024 order (Dkt. 255) and March 14, 2024 Order (Dkt. 281) Defendants 2K Games, Inc. and Take-Two Interactive Software, Inc. (collectively, “Take-Two”) respectfully submit its deposition designations, Plaintiff’s objections and counter-designations, and Take-Two’s counter-objections for the deposition of LeBron James, which is filed as Docket No. 299.

Take-Two reserves its right to submit as counter-designated deposition testimony any testimony affirmatively or counter-designated by Plaintiff, regardless of whether Plaintiff later withdraws that affirmative or counter-designated testimony. Take-Two further reserves its right to supplement its designations and objections, including designations for authentication purposes; and to use any deposition testimony that does not appear in these designations for purposes of impeachment. Take-Two is continuing its investigation and trial preparation and reserves the right, in appropriate circumstances and in accordance with all applicable Federal Rules, Local Rules, and Court Orders, to amend, supplement, and/or withdraw their designations

and objections, including, but not limited to, in response to further negotiations between the parties, Court Orders and rulings, and other developments in the case.

A. LEBRON JAMES – Docket No. 299

Below, Take-Two submits its deposition designations, Plaintiff's objections and counter-designations, and Take-Two's counter-objections for the deposition of LeBron James, which is filed as Docket No. 299. Designations, objections, counter-designations, and counter-objections are identified by transcript page and line numbers.

Defs.' Designations	Pl.'s Objections	Pl.'s Counters	Defs.' Counter-Objections
10:3-10:6			
18:1-18:3		18:4-5	
18:6-18:9			
18:22-18:24	MIL		
19:10-19:19	MIL		
20:7-20:8	MIL	20:3-20:6 20:9-22:13	R, 403
22:14-16	MIL		
23:25-24:11		23:7-24	MIL, R
24:17-24:25		28:15-29:21	
29:22-30:3			
30:5-30:9		31:7-9	
30:11-30:16			
32:22-33:7			
33:14-34:3		34:4 - 11	
34:12-34:22		34:24-38:22	34:24-35:13 – F, K, R 35:14-16 – R 35:17-22 – F, K, R 35:22-36:4 – F, K, R, V 36:5-9 – F, K 36:12-15 – F, K 36:16-17 – T 36:18 – Struck Question

Legend for Pl.'s Objections

AA – Asked and answered
AR – Argumentative
AF – Assumes facts not in evidence
FD – Foundation
FM – Form
HR - Hearsay
IH – Incomplete hypothetical

LC – Legal conclusion
LD – Leading
MD – Mischaracterizes document
MR – Misstates the record
NA – Not authenticated
NT – Not Testimony/Attorney Colloquy

NR – Not responsive to question
PV – Privileged
PR – Prejudicial
RV – Relevance
SP – Calls for speculation
MIL – Evidence subject to exclusion from Motion in Limine

Legend for Defs.' Counter-Objections

IO - Improper opinion
R - Irrelevant
403 - FRE 403
K - Lack of personal knowledge
S - Calls for speculation
A - Assumes facts not in evidence

LC - Calls for legal conclusion
SC - Outside scope of 30(b)(6) topics/deposition
C - Compound
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			36:19-22 – C 36:25 – T 37:3-14 – F, K, R 37:15 – T 37:16 – F, K, R 37:25-38:1 – R, V, K
39:1-39:9		40:11-40:13	
39:23-39:25			
40:14-40:19			
45:5-45:24		44:3-45:4	44:24-45:4 – V
45:25-46:12		46:13-47:23, 56:23-57:1, 57:17-59:2, 59:4	47:1-12 – R, K, F 47:10-12 – F, LC, IO 47:13-14 – T 47:15 – F, LC, IO 57:22-24 – MIL 58:17-20 – IO, LC, F, K
66:14-67:3		61:25-62:3, 62:5, 67:12-15, 67:22-68:21, 72:10-14, 72:17, 72:19-73:2	61:25-62:3, 62:5 – Incomplete, Not Counter Testimony 72:19-25 – V, R
73:3-7			
73:20-73:23		73:24-74:2	R
76:10-76:13			
76:16-76:21			
76:23-76:24			
77:2-77:10			
77:15-77:18			
77:20-77:25			
78:5-78:5			
78:7-78:9			
78:10-78:23	MIL	78:24-79:2, 79:6-7, 80:19-21, 80:25-81:1	78:24-79:2 – MIL, LC, 403

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			79:6-7 – MIL, LC 403 80:19-21 – F, S, LC IO 80:25-81:1 – F, S, LC, IO
81:6-81:16	MIL		
81:17-81:19			
81:22-81:22		82:9-14, 82:17-19, 90:17-22, 91:1, 91:4- 6, 91:10, 93:14-22, 93:25, 94:2-6, 94:8-9	82:9-14 – F, K 82:17-19 – F, K 90:17-22 – K, S 91:1 – K, S 91:4-6 – K, S 91:10 – K, S 93:14-19 – R, 403 91:20-22 – R, 403, LC 93:25 – R, 403, LC 94:2-5 – R, 403, LC 94:5-6, 8-9 – R, 403, IO
86:14-86:19			
86:22-86:23			
86:25-87:3			
87:6-87:6			
87:8-87:10			
87:13-87:13			
87:15-87:18			
87:21-87:21			
88:17-88:25			
89:3-89:3			
89:5-89:8			
103:20-104:1			
104:2-104:3			
104:6-104:8		104:10-105:1	104:12-13 – T
106:11-106:16	LC, LD		
107:2-107:14	LD, MIL		
108:7-108:16	LD, MIL		

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109:20-110:6	LD		
111:4-111:13	LD, MIL		
111:15-111:18	LD, MIL		
111:21-112:11	RV		
112:12-112:14	LD, FM, LC		
112:21-113:6	LD, LC, MIL		
113:9-113:12	LD, LC		
113:14-114:1	LD, LC		
114:4-114:4	LD, LC		
114:6-114:13	LD, MIL		
114:15-114:18	LD, MIL		
114:21-114:25	LD, LC		
116:5-116:7	LD		
116:9-116:9	LD, RV		
117:4-117:9	NT, LD, MIL		
117:11-117:11	LD, MIL		
117:13-117:14	LD, MIL		
117:17-118:10	LD, RV		
118:11-118:13			
118:14-118:21	LD, RV		
118:22-119:4	LD, RV		
119:8-119:11	LD, SP, IH, RV		
119:13-120:1	LD, RV, MIL		
120:3-120:3	LD, RV, LC, MIL		
120:5-120:5	NT, LD, MIL		
120:7-120:7	LD, LC, MIL		
120:9-120:11	NT, LD		
120:14-120:15	LD, LC, MR		
120:17-120:25	NT, LD, MIL		
121:2-121:2	LD, LC, MIL		
121:4-121:4	NT, LD, MIL		
121:6-121:6	LD, LC, MIL		

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121:8-121:18	NT, LD, MIL		
121:20-121:20	LD, MR, MIL		
121:22-121:23	LD, MR, MIL		
122:2-122:9	NT, LD, MIL		
122:11-122:11	LD, RV, MIL		
122:13-122:13	NT, LD, MIL		
122:15-122:15	LD, RV, MIL		
122:17-122:19	NT, LD		
122:22-122:22	NT, LD		
122:25-123:6	LD, RV, LC		
123:8-123:13	NT, LD, MIL		
123:15-123:15	LD, LC, MIL		
123:17-123:17	NT, LD, MIL		
123:19-123:19	LD, LC, MIL		
123:21-123:23	LD		
124:15-124:20	NT, LD, MIL	124:2-7	
124:22-124:22	LD, LC, MIL		
124:24-124:25	LD, LC, MIL		
125:3-125:11	NT, LD, MIL		
125:13-125:13	LD, LC, MIL		
125:15-125:15	NT, LD, MIL		
125:17-125:17	LD, LC, MIL		
125:19-125:22	LD, LC		
125:23-126:9	LD, LC, MIL		
126:12-126:14	LD, LC, MIL		
127:4-127:7	LD, FM, LC		
127:11-127:13	LD, FM, LC		
127:15-127:23	NT, LD, MIL		
127:25-127:25	LD, MIL		
128:2-128:2	NT, LD, MIL		
128:4-128:4	LD, MIL		
128:6-128:14	LD, RV	129:16-130:9	129:16-20 – R, Q, 403 129:21-130-3 – R, 403

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			130:4-5 – T 130:6-9 – R, 403

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Dated: New York; NY
April 8, 2024

/s/ Dale M. Cendali

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